



0000068955

ORIGINAL

25CS

## ARIZONA CORPORATION COMMISSION RECEIVED

Arizona Corporation Commission

DOCKETED

MAY 02 2002

2002 MAY -2 P 4:34

AZ CORP COMMISSION  
DOCUMENT CONTROL

WILLIAM A. MUNDELL  
CHAIRMAN  
JIM IRVIN  
COMMISSIONER  
MARC SPITZER  
COMMISSIONER

DOCKETED BY

ms

IN THE MATTER OF THE GENERIC  
PROCEEDINGS CONCERNING ELECTRIC  
RESTRUCTURING ISSUES.

DOCKET NO. E-00000A-02-0051

IN THE MATTER OF ARIZONA PUBLIC  
SERVICE COMPANY'S REQUEST FOR  
VARIANCE OF CERTAIN REQUIREMENTS OF  
A.A.C. R14-2-1606.

DOCKET NO. E-01345A-01-0822

IN THE MATTER OF THE GENERIC  
PROCEEDING CONCERNING THE ARIZONA  
INDEPENDENT SCHEDULING  
ADMINISTRATOR.

DOCKET NO. E-00000A-01-0630

IN THE MATTER OF TUCSON ELECTRIC  
POWER COMPANY'S APPLICATION FOR A  
VARIANCE OF CERTAIN ELECTRIC  
COMPETITION RULES COMPLIANCE DATES.

DOCKET NO. E-01933A-02-0069

IN THE MATTER OF THE APPLICATION OF  
TUCSON ELECTRIC POWER COMPANY FOR  
APPROVAL OF ITS STRANDED COST  
RECOVERY.

DOCKET NO. E-01933A-98-0471

**PROCEDURAL ORDER****BY THE COMMISSION:**

On April 25, 2002, during the Arizona Corporation Commission's ("Commission") Special Open Meeting, the Commissioners stayed Arizona Public Service's (APS") variance hearing which was scheduled to begin on April 29, 2002.

At the April 29, 2002 Procedural Conference in the generic docket, Southwestern Power Group II, LLC et al. and Sempra Energy Resources inquired as to the effect of the stay on the existing procedural deadlines in Tucson Electric Power Company's ("TEP") variance request proceeding. TEP stated at the Procedural Conference that it would docket a filing indicating TEP's position on a stay of its variance request.

1 On April 30, 2002, TEP filed its Position Statement. TEP stated that it does not object to the  
2 issuance of a stay to its variance request in accordance with the terms of the Commission's April 25,  
3 2002 stay, and that it would prefer that the Commission rule on the threshold issues no later than  
4 August 1, 2002.

5 In a separate Procedural Order issued in these dockets today, the Commission has established  
6 a procedural schedule and timeframes for the parties to address the issues identified during the  
7 Special Open Meeting. Although the Commission's Special Open Meeting addressed the issues in  
8 the context of the APS variance docket, many of the same issues also affect TEP. Accordingly, as  
9 this is a generic docket proceeding, the parties should address their testimony and evidence to  
10 encompass TEP as well.

12 On March 14, 2002, TEP, the Residential Utility Consumer Office, Arizonans for Electric  
13 Choice and Competition, and the Arizona Community Action Association filed in these dockets a  
14 stipulated agreement on the issues raised in TEP's January 28, 2002 motion requesting an amendment  
15 of its market generation credit calculation ("TEP MGC Motion"). That agreement was filed in the  
16 form of a new Motion for Clarification of Settlement Agreement ("TEP MGC Motion II"). The  
17 parties should file any testimony relating to the TEP MGC Motion II in their testimony for the Track  
18 B issues identified in the separate Procedural Order issued in these dockets today.

20 IT IS THEREFORE ORDERED that the procedural deadlines set forth in the March 14, 2002  
21 Procedural Order in TEP's variance request docket are hereby vacated, except that public comment  
22 will be taken on **June 10, 2002 at 10:00 a.m.**, or as soon thereafter as is practical, at the  
23 Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

25 IT IS FURTHER ORDERED that the parties shall file testimony concerning TEP according  
26 to the procedural schedule set in the separate Procedural Order issued in these dockets today.

1 IT IS FURTHER ORDERED that the TEP MGC Motion II is included in Track B,  
2 Competitive Solicitations, as identified in the separate Procedural Order issued in these dockets  
3 today.


4 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
5 Communications) applies to this proceeding and shall remain in effect until the Commission's  
6 Decision in this matter is final and non-appealable.

7 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended  
8 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

9 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive  
10 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

11 DATED this 2d day of May, 2002.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered  
this 2d day of May, 2002 to:

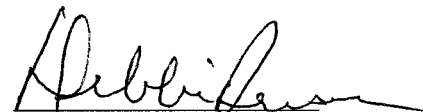
Service list for E-00000A-02-0051  
(If you need a copy of the service list, please e-  
mail me @ dperson@cc.state.az.us)

Christopher Kempley, Chief Counsel  
ARIZONA CORPORATION COMMISSION  
1200 W. Washington Street  
Phoenix, Arizona 85007

Ernest G. Johnson, Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

ARIZONA REPORTING SERVICE, INC.  
2627 N. Third Street, Suite Three  
Phoenix, Arizona 85004-1104

By:

  
Debbi Person  
Secretary to Teena Wolfe